

AUG 09 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/748,863	12/30/2003	Shawn Jenkins	KCX-816 (20170)

CONFIRMATION NO. 3699

22827

DORITY & MANNING, P.A.
POST OFFICE BOX 1449
GREENVILLE, SC 29602-1449

FORMALITIES LETTER



OC000000012494253

Date Mailed: 04/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$144 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1044 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/11/2004 FFANAIA2 00000037 10748863

01 FC:1001
02 FC:1202
03 FC:1051

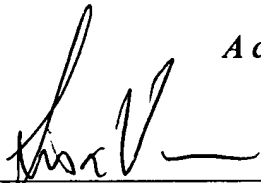
770.00 OP
144.00 OP
130.00 OP

- Total additional claim fee(s) for this application is **\$144**

- **\$144** for 8 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE.

**EXPRESS MAIL CERTIFICATE OF MAILING**In re Application of: Shawn Jenkins, et al.Entitled: Apparatus and Method for Controlling Concentration GradientsUSSN: 10/748,863Date: December 30, 2003Attorney Docket No.: KCX-816 (20170)"Express Mail" – Mailing Label Number: EV376133756USDate of Deposit: August 9, 2004

I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the:

Commissioner for Patents
Mail Stop MISSING PARTS
U.S. Patent and Trademark Office
Post Office Box 1450
Alexandria, VA 22313-1450

Darlene G. Parker

(Typed or printed name of person mailing paper or fee)

A handwritten signature of Darlene G. Parker, written in dark ink.

(Signature of person mailing paper or fee)

In re Application of: Shawn Jenkins, et al.

Attention: Mail Stop Missing Parts

Serial No.: 10/748,863

Date: August 10, 2004

Filed: December 30, 2003

Attorney Docket No.: KCX-816 (20170)

Confirmation No.: 3699

Group Art Unit: 3754

Title: Apparatus and Method for Controlling Concentration Gradients

Our Customer ID: 22827

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Alexandria, VA 22313-1450

Our Account No.: 04-1403

Sir:

The following completes the filing of the above-identified patent application under Rule 52, 53, and/or 85:

- ☐ Rule 53 signed Declaration enclosed.
☐ This is a Rule 47 filing per attached Petition.
☒ Enclosed: Original signed Declaration with attached specification (including claims) which is a copy of specification/claims originally filed to secure above filing date.
☐ Specification originally filed in non-English language; hence verified translation attached of:
☐ Abstract ☐ ___ pages of Specification (only spec. & claims) ☐ Drawing Figs.
☐ ___ sheet(s) of formal drawings enclosed: size: ☐ A4 ☐ 14" ☐ 8½ by 11
☒ Attached is an assignment to Kimberly-Clark Worldwide, Inc.
☐ Priority is hereby claimed under rule 55 and 35 U.S.C. 119 based on prior foreign application(s) no(s).
_____, filed in _____ on _____, respectively.
Certified copy (copies) ☐ attached; ☐ already filed on _____ in U.S. Application, Serial No. _____, filed _____.
☐ "Small Entity" status under Rule 27 claimed. ☐ Attached: ___ Verified Statement(s) establishing "small entity."
☐ Attached is the request return copy of the PTO Notice under Rule 52, 53, and/or 85.
☐ Attached: _____
☐ Preliminary Amendment: _____

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

PER MPEP § 506 AND § 607

If not earlier paid, add Basic Filing Fee	\$ 770.00
Total Effective Claims <u>28</u> - 20 = <u>8</u> x \$18.00 =	\$ 144.00
Independent Claims <u>3</u> - 3 = <u>0</u> x \$86.00 =	\$.00
If <u>any proper</u> multiple dependent claim (ignore improper) is present, add \$290.00	\$.00
Filing Fee	\$.00

Since PTO Notice under Rule 52, 53, and/or 85 set an original due date of June 30, 2004, petition is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$420; 3 months \$950; 4 months \$1480).

\$ 420.00

If this is the <u>first</u> time either signed Declaration filed or filing fee paid, add Surcharge (\$130)	\$ 130.00
Subtotal	\$.00
If "small entity" status box above is X'd, enter half (1/2) of subtotal & <u>subtract</u> -	\$.00
Total =	\$.00
If "non-English" box above is X'd, add Rule 17(i) or (k) processing fee \$130.00)	\$.00
If "assignment" box is X'd, add recording fee (\$40.00)	\$ 40.00
If "Rule 47" box above is X-d, add Petition fee \$130.00 Rule 17(h)	\$.00
TOTAL FEE ENCLOSED	\$ 1504.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

DORITY & MANNING, ATTORNEYS AT LAW, P.A.

Post Office Box 1449

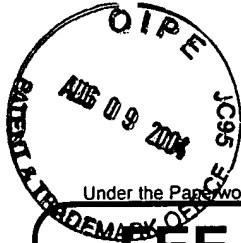
By: Steven R. LeBlanc Reg. No. 47,740 Date: 8/09/04

Greenville, SC 29602

Customer ID No.: 22827

Telephone: 864-271-1592 / Facsimile: 864-233-7342

Signature: Steven R. LeBlanc

**FEE TRANSMITTAL****for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 1504

Complete if Known

Application Number	10/748,863
Filing Date	December 30, 2003
First Named Inventor	Shawn Jenkins, et al
Examiner Name	Not known
Art Unit	3754
Attorney Docket No.	KC-816 (20170)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name**04-1403****DORITY & MANNING, P.A.**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	28	-20** = 8	X 18. = 144
Independent Claims	3	-3** = 0	X 0 = 0
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 144.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	420
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 590.00**SUBMITTED BY**

Name (Print/Type)	Steven R. LeBlanc, Esq.	Registration No. (Attorney/Agent)	47,740	Telephone	864/271-1592
Signature	Steven R. LeBlanc	Date	August 09, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.